

**HORICON TOWN BOARD  
REGULAR MEETING OF THE BOARD**

**SEPTEMBER 15, 2011  
7:00 PM**

Present at meeting:	Ralph Bentley	Supervisor
	Frank Hill	Councilman
	Robert Olson	Councilman
	Joseph Dooris	Councilman
Absent:	Kenneth Higgins	Councilman
Krista Wood	Town Clerk	
Town Counsel	Mark Schachner	

Also: HS Paul Smith, ZA Gary McMeekin, Matt Simpson, Bill McGhie, Andy and Edna Trumble, Tom Johansen, Harry Balz, Frank Costello, Gary Frenz, John Donovan, James Steen, Sandy Smith, June Maxam, and Abe Gadjo.

Supervisor Bentley called the meeting to order at 7:00 PM.

**Reports:** Supervisor, Town Clerk, Zoning, Justice

**Approval of Minutes:** Minutes of August 18, 2011 were approved by Motion of Messrs. Olson and Hill, Ayes-4/Absent-1.

**Approval of Abstracts:**

**RESOLUTION #121-2011**

Messrs. Olson and Dooris introduced Res. No. 121-2011 and moved its adoption:

**RESOLUTION TO AUTHORIZE PAYMENT OF ABSTRACTS**

RESOLVED, that the Town Board does hereby authorize the payment of the September 2011 Vouchers and Abstracts as follows:

General Vouchers	#247-274	\$ 26,488.92
Highway Vouchers	#141-158	\$ 24,746.14
General Abstracts	24 & 26	\$ 27,173.88
Highway Abstracts	24 & 26	\$ 15,914.95

AYES: 4 (Olson, Dooris, Hill, Bentley) NAYS: 0 ABSENT: 1 (Higgins)

**Correspondence to the Board:**

- Joe & Karen Burka	RE: Zoning issue with the Paull property
- ANCA	RE: Invitation to the 2011 Annual Meeting (register by 9-16)
- Dale Faxon	RE: Quote for Heintzelman Library roof repair
- Joe & Karen Burka	RE: Additional thoughts on Zoning issue with the Paull property

**Resolutions:**

**RESOLUTION #122-2011**

Messrs. Dooris and Hill introduced Res. No. 122 and moved its adoption:

**BUDGET AMENDMENT**

**RESOLUTION TO APPROPRIATE FUNDS**

WHEREAS, funds were appropriated in the 2010 Budget for the services of the North Warren Emergency Squad, and

WHEREAS, due to several issues that arose during the course of 2010, final payment to the North Warren Emergency Squad was withheld until such time that the issues could be resolved and the monies were put back into Unappropriated Surplus, and

**HORICON TOWN BOARD  
REGULAR MEETING OF THE BOARD**

**SEPTEMBER 15, 2011  
7:00 PM**

WHEREAS, the issues were finally resolved in February of 2011 at which time final payment for services rendered during 2010 was made to the North Warren Emergency Squad, now, therefore be it

RESOLVED, that the Horicon Town Board does hereby approve the following Budget Amendment for 2011 to cover the remaining payment to the North Warren Emergency Squad:

Increase (A599) Appropriated Fund Balance by \$24,500.00

Increase (A960) Appropriations by \$24,500.00

Increase (A4540.4) Subsidiary by \$24,500.00

AYES: 4 (Dooris, Hill, Olson, Bentley) NAYS: 0 ABSENT: 1 (Higgins)

**RESOLUTION #123-2011**

Messrs. Olson and Hill introduced Res. No. 123 and moved its adoption:

**RESOLUTION TO AUTHORIZE PAYMENT TO CURTIS LUMBER FROM PERPETUAL CARE FUNDS**

RESOLVED, that the Horicon Town Board does hereby authorize payment to Curtis Lumber in the amount of \$521.82 for the purchase of materials used to build a set of steps at the entrance to Frasier Cemetery. The monies to pay Curtis Lumber are to come from the Perpetual Care account.

AYES: 4 (Olson, Hill, Dooris, Bentley) NAYS: 0 ABSENT: 1 (Higgins)

**Old Business:**

*Assistant Zoning Administrator:* Councilman Olson addressed the salary of \$20.00 per hour that was set for the Assistant Zoning Administrator position at last month's meeting. He said the position was advertised at \$25.00 per hour and they did not mention a change in pay rate during the interview. The change in pay rate was addressed at the time the appointment of Assistant Zoning Administrator was made. Therefore, Councilman Olson suggested the rate of pay for Assistant Zoning Administrator be changed back to \$25.00 per hour worked as advertised. Councilman Dooris agreed.

**RESOLUTION #124-2011**

Messrs. Olson and Dooris introduced Res. No. 124 and moved its adoption:

**RESOLUTION TO ADJUST COMPENSATION FOR ASSISTANT ZONING ADMINISTRATOR**

WHEREAS, the Town Board of the Town of Horicon passed Resolution #118-2011 wherein they appointed James Steen to the position of Assistant Zoning Administrator to be paid at a rate of \$20.00 per hour worked plus mileage, AND

WHEREAS, being that the position was advertised at the rate of \$25.00 per hour, the Board has decided to change the rate of pay from \$20.00 per hour worked to the advertised rate of \$25.00 per hour worked plus mileage, NOW, THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Horicon does hereby rescind the pay rate of \$20.00 per hour worked as set in Resolution #118-2011 and does hereby authorize James Steen to be paid at a rate of \$25.00 per hour worked plus mileage in his capacity as Assistant Zoning Administrator.

AYES: 3 (Olson, Dooris, Bentley) NAYS: 1 (Hill) ABSENT: 1 (Higgins)

*Pumpkin Hollow Road update:* Supervisor Bentley asked for an update on Pumpkin Hollow Rd. Town Counselor Schachner advised the Board that letters had been sent to the landowners

**HORICON TOWN BOARD**  
**REGULAR MEETING OF THE BOARD**

**SEPTEMBER 15, 2011**  
**7:00 PM**

along with copies of the proposed map. He told the Board that Mr. Prazak has responded with documents that indicate he agrees with the proposed map, however no other responses have been received to date, including one from Mr. Gadjo. Supervisor Bentley said he had spoken with Mr. Gadjo and he told him he was happy with the proposed map.

*Zoning update:* ZA McMeekin updated the Board on the issue with the Draper trailer and noted that this has been adjourned to September 28<sup>th</sup>. He also updated the Board regarding the goats on the Paull property. ZA McMeekin told the Board that the Burka's are very upset over this and noted that although the ZBA had ruled that the animals had to be removed they are still on the property. Councilman Dooris questioned ZA McMeekin on a few items related to the Zoning Ordinance and how it pertains to this situation. Councilman Olson stated that the other neighbors have no issues with the animals and he feels that the Zoning Ordinance should deal with commercial raising of animals not residential. ZA McMeekin points out that there are proposed regulations before the Zoning & Planning Review Committee that will be more restrictive than the current Zoning Ordinance. Councilman Olson stated that although he was a part of the meetings in which the proposed revisions were discussed, he is having second thoughts on the proposed revisions after his conversation with Ms. Paull.

*Adirondack Union Church update:* Edna Trumble told the Board that there has been great progress in the clean-up efforts at the Church. Presently they are researching a security system for the building and they have obtained a quote from a local engineer for reconstruction to get the building up to code. They have also located the original church records; however, Edna noted they are still looking for the birth, baptism, death and marriages records. They are actively researching grants and have sent donation request letters to all taxpayers. They would like to put up a sign and asked if there are any restrictions or issues regarding signage. Tom Johansen told the Board that they would like to seal the building for the winter and asked if the Town men could be utilized for this. The Board was fine with that. Councilman Olson stated that he has concerns over what the total budget for the project is going to be. Tom Johansen said his highest estimation is approximately \$47,000.00. Councilman Hill asked what that figure covers. Tom Johansen noted the items that would be included. Councilman Olson said he would feel more comfortable if an engineer or contractor gave an assessment on what needs to be done, then they should seal the building and wait for funds to cover the costs. John Donovan stated that gathering costs is important as they will need this information for the grant applications. So, they will continue gathering costs, but the Town is not committed to any money.

*Community Garden:* Councilman Olson said he is working with Harvey Leidy on the Community Garden project idea. Councilman Olson stated that he has made a list of equipment that would need to be provided for a project of this size and feels what he has come up with so far will be well over the originally proposed \$1,000.00 budget. He advised the Board they should be realistic in looking at this.

**New Business:**

*Watering Tub:* Supervisor Bentley asked Town Counselor Schachner if he could address the Board on accepting conveyance of the Watering Tub. Counselor Schachner stated that conveyance can legally occur but as Town Counsel he cannot recommend the Board take this action. Councilman Hill asked if the liability would fall onto the Town if they took it over.

**HORICON TOWN BOARD**  
**REGULAR MEETING OF THE BOARD**

**SEPTEMBER 15, 2011**  
**7:00 PM**

Counselor Schachner replied that it would increase the possibility of liability. Councilman Hill and Councilman Dooris both agreed that they do not like putting the Town in jeopardy like this and see no advantage to taking the Watering Tub over due to the liability. Councilman Hill pointed out that the Town of Horicon already does all of the maintenance on the Tub; a responsibility which is not shared by the other Towns. Councilman Olson stated that he sees no compelling reason why the Town should take action on its own or in partner with the two other towns. Supervisor Bentley said the Schroon Lake Park District originally wanted conveyance to the Towns (of Chester, Horicon, Schroon) and now they want a Hold Harmless agreement with the three Towns (of Chester, Horicon, Schroon). The Board will take no action until such time as a formal request is made.

*Set date for Cemetery Workshop Meeting and Budget Workshop Meeting:*

**RESOLUTION #125-2011**

Messrs. Hill and Olson introduced Res. No. 125 and moved its adoption:

**RESOLUTION TO SET WORKSHOP MEETING DATE**

RESOLVED, that the Horicon Town Board will hold a Cemetery Workshop Meeting at 5:00PM on Thursday, October 13, 2011 at the Horicon Community Center, AND, BE IT FURTHER RESOLVED, that the Horicon Town Board will also hold a Budget Workshop Meeting on Thursday, October 13, 2011, immediately following the Cemetery Workshop Meeting, to discuss the 2012 Proposed Budget.

AYES: 4 (Olson, Hill, Dooris, Bentley)    NAYS: 0    ABSENT: 1 (Higgins)

*Assessor position:* Councilman Olson wants to meet with Assessor Maniacek for more information regarding his proposal. The Board will discuss this further at the Budget Workshop meeting.

*FEMA Reimbursement:* Supervisor Bentley advised the Board that he and HS Smith have met with FEMA and the Town will be getting reimbursed for the cost of damages incurred during Hurricane Irene.

*Heintzelman Library Roof:* Councilman Dooris asked if funds were available to make the repairs to the Heintzelman Library roof if the Board were to accept the quote from Slate Valley Construction. Supervisor Bentley said the funds were available.

**RESOLUTION #125-2011**

Messrs. Olson and Hill introduced Res. No. 125 and moved its adoption:

**RESOLUTION TO AUTHORIZE REPAIRS TO THE HEINTZELMAN LIBRARY ROOF**

WHEREAS, a quote was received from Dale Faxon, of Slate Valley Construction, in the amount of \$800.00 for repairs to the slate roof of the Heintzelman Library, NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Horicon does hereby authorize Slate Valley Construction to make repairs to the Heintzelman Library roof as quoted for the amount of \$800.00 pending receipt of a Certificate of Insurance from Slate Valley Construction.

AYES: 4 (Olson, Hill, Dooris, Bentley)    NAYS: 0    ABSENT: 1 (Higgins)

**Privilege of the Floor:**

Ted Wilson addressed the Board regarding the annoying rooster at 1199 Palisades Rd. and presented a petition in support of his statements. He stated that he has contacted the Warren

**HORICON TOWN BOARD**  
**REGULAR MEETING OF THE BOARD**

**SEPTEMBER 15, 2011**  
**7:00 PM**

County Sheriff's Department who told him there was nothing they could do. Mr. Wilson stated that the rooster crows incessantly all day long which is a direct violation of the Town of Horicon Noise Ordinance. He said he has spoken to the owner but nothing has been done. Mr. Wilson asked the Board to either enforce the Noise Ordinance or revoke the farm permit and have the animal removed.

Abe Gadjo asked the Board for an update on Pumpkin Hollow Rd. as he missed the first part of the meeting, and Supervisor Bentley brought him up to date. He advised the Board that he is fine with the proposed map. Abe asked what would happen if a landowner has any objections. Counselor Schachner advised that it might influence the Board's decision and although the Board could enforce the right of Eminent Domain they probably would not, therefore, the project could not be done if a landowner does not consent to granting an easement.

John Donovan thanked the Board for the work that has been done on Beaver Pond Rd., recognizing that although funds are limited, the residents of Beaver Pond Rd. appreciate the Town finding the money to work on the road.

**Adjourn...** There being no further business to attend to the meeting was adjourned at 8:02PM by MOTION of Messrs. Olson and Hill, all in favor.

Respectfully Submitted:

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Town Clerk